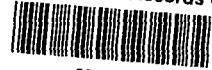




UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

EPA Region 5 Records Ctr.



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REPLY TO THE ATTENTION OF

JUL 09 2010

Patterson Chemical Site

UNITED PARCEL SERVICE EXPRESS

Mr. Joon Moon
c/o Glenn R. Matecun
The Kizer Law Firm, P.C.
207 N. Michigan Avenue
Suite 202
Howell, MI 48843

RE: Patterson Chemical Site
Detroit, Wayne County, Michigan
Confirmation of General Notice of Liability

Dear Mr. Matecun:

The United States Environmental Protection Agency (EPA) has documented the release or threat of release of hazardous substances, pollutants and contaminants into the environment from the above-referenced Site, and is planning to spend public funds to control and investigate these releases. This action will be taken by EPA pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. §9601 *et seq.* (CERCLA), as amended by the Superfund Amendments and Reauthorization Act of 1986, Pub. L. No. 99-499, 100 Stat. 1613 (1986) (SARA), unless EPA determines that such action will be done properly by a responsible party or parties. Responsible parties under CERCLA include the current and former owners and operators of the Site, and persons who generated the hazardous substances or were involved in the transport, treatment, or disposal of the hazardous substances at the Site. Under Section 107(a) of CERCLA, 42 U.S.C. §9607(a), where EPA uses public funds towards the cleanup of the hazardous substances, responsible parties are liable for all costs associated with the removal or remedial action and all other necessary costs incurred in cleaning up the Site, including investigation, planning, and enforcement costs.

EPA is currently planning to conduct the following actions at the above-referenced Site:

1. Develop and implement a site safety and health plan and a site security plan;
2. Secure the site grounds from unauthorized access;

3. Secure, sample characterize, package and dispose of all hazardous materials and wastes in various containers, tanks , bags and on the floors in accordance with federal & state regulations and EPA's off site rule;
4. Evaluate all tanks and structures for potential asbestos containing materials and if found, contain remove and dispose of all asbestos containing materials;
5. Remove and dispose of all contaminated media;
6. Properly cap the sulfur well on site; and
7. Conduct an extent of contamination sampling and confirmatory sampling to establish the completion of removal action.

EPA has received information that you may have owned or operated the Site or generated or transported hazardous substances that were disposed of at the Site. By this letter, EPA notifies you of your potential liability with regard to this matter and encourages you, as a potentially responsible party, to agree to reimburse EPA for costs incurred to date and to voluntarily perform or finance the response activities that EPA has determined or will determine are required at the Site. EPA is willing to discuss with you the entry of an appropriate administrative consent order under which you would perform or finance response activities and reimburse EPA for its costs. If a consent order cannot be promptly concluded, EPA may issue a unilateral order under Section 106 of CERCLA, requiring you to perform specified work. Under Sections 106 and 107 of CERCLA, you may be liable for reimbursement of EPA's costs, for statutory penalties, and for treble damages for noncompliance with such an order. If you are a qualified small business, enclosed is an U.S. EPA Small Business Regulatory Enforcement Fairness Act information sheet, which may be helpful if you are subject to an EPA enforcement action.

Because of the conditions described above, EPA believes that response activities at the Site must be initiated as quickly as possible. Therefore, EPA does not intend to utilize the special notice procedures available under Section 122(e) of CERCLA.

As a potentially responsible party, you should notify EPA in writing by July 12, 2010 of your willingness to perform or finance the activities described above and to reimburse EPA for its costs. Please send your response to Larry Johnson, Associate Regional Counsel via email at Johnson.larry@epa.gov. A copy of your response should be sent to:

Carol Ropski
U.S. EPA - Region 5
Enforcement Services Section #1
77 West Jackson Boulevard, SE-5J
Chicago, IL 60604-3590

If EPA does not receive a timely response, EPA will assume that you not wish to negotiate a resolution of your potential responsibility in connection with the Site and that you declined any involvement in performing the response activities.

Your response should indicate the appropriate name, address, and telephone number for further contact with you. If you are already involved in discussions with state or local authorities, engaged in a voluntary cleanup action, or involved in a lawsuit regarding this Site, you should continue such activities as you see fit. This letter is not intended to advise you or direct you to restrict or discontinue any such activities already underway; however, you are advised to report the status of those discussions or actions in your response to this letter and to provide a copy of your response to any other parties involved in those discussions or actions.

If you need further information regarding this letter, you may contact Larry Johnson of the EPA Office of Regional Counsel at (312) 886-6609.

Due to the nature of the problem at this facility and the attendant legal ramifications, EPA strongly encourages you to submit a written response within the time frame specified herein. We hope you will give this matter your immediate attention.

Sincerely,

Michael H. Harris For J.E.

Jason El-Zein, Chief
Emergency Response Branch #1

bcc: Larry Johnson, ORC (C-14J)
P.C. Lall, OSC (SE-GI)
John Maritote (SE-5J)
Carol Ropski, ESS #1 (SE-5J)
Mike Harris, ECAB (SE-5J)
Richard Hackley, PAAS (MF-10J)
Records Center (SMR-7J)
Michael T. Chezik (Regional Environmental Officer, Office of Environmental Policy and Compliance,
Philadelphia Region, Custom House, Room 244, 200 Chestnut Street, Philadelphia, PA 19106)

